

DNR REGULATORY AGENDA FOR SFY 2008
FORM FOR REGULATORY ACTION DESCRIPTION

Rule Making Authority

Director ☐
Environmental Protection Commission (EPC) ☒
Natural Resource Commission (NRC) ☐
Energy & Geological Resource Division ☐

Title of Regulatory Action

Amending Whole Effluent Toxicity (WET) testing requirements for NPDES permits

Rule Chapter(s) that may be involved

567 Chapter 63

Description of Contemplated Regulatory Action

(Including, to the extent reasonable and practicable, alternatives to be considered and preliminary estimate of costs and benefits of the Action)

This rule making action is intended to amend the WET testing requirements for NPDES permits, develop an implementation plan for the said action including addressing the review of WET test results.

A Fiscal Impact Statement will be prepared and accompany the NOIA.

The benefit of this action is to protect water quality, and pro-actively address draft EPA WET implementation guidance. The data from this testing will give the department additional data to assess the affects of point source on the water quality of the State's streams.

Legal Basis

(Include whether action is required by statute or court order)

Clean Water Act, 40 CFR122.44(d)(1)

Need for Regulatory Action

(Include if applicable how the action will reduce risk to public health, safety, or the environment)

This action is intended to provide adequate protection for aquatic life and reduce potential impacts to stream life through more comprehensive application of the Clean Water Act.

**Other Affected/Interested
Rule Making Authorities**

EPA

**Potential Public Groups
Impacted**

Iowa Water Pollution Control Association, Iowa Municipal Utilities Association, Iowa Environmental Council, Iowa Sierra Club, other environment groups, county and local governments

Schedule:

(Actions & month/year)

EPC informational item by June 30, 2008
Notice of Intended Action to be filed by August 1, 2008
Public hearings in September 2008
Final rule to EPC by October 2008

Staff Contact/Phone #

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